

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

FIRESTAR DIAMOND, Inc., et al.,

No. 18-10509(SHL)

Debtors,

(Jointly Administered)

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Richard Levin, Chapter 11 Trustee of FIRESTAR  
DIAMOND, INC., FANTASY, INC., and OLD AJ,  
INC., f/k/a A. JAFFE, INC.,

Adv. Proc. No. 20-01054(SHL)

Plaintiff,

**NOTICE OF MOTION**

**ORAL ARGUMENT REQUESTED**

vs.

AMI JAVERI (A/K/A AMI MODI), et al.,

Defendants.

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**PLEASE TAKE NOTICE** that upon the accompanying Declaration of defendant Neeshal Modi and memorandum of law dated October 15, 2020, defendant Neeshal Modi shall move this Court, before the Hon. Sean H. Lane, United States Bankruptcy Judge, at the United States Courthouse, One Bowling Green, New York, New York 10004, on a date and at a time to be set by the Court, for an Order substantially in the form provided herewith dismissing the Complaint with prejudice pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure and Rules 12(b)(1), (2) and (6) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court deems just and necessary.

Dated: September 15, 2020

PAYKIN KRIEG & ADAMS, LLP

By: s/ Benjamin Suess  
Benjamin Suess  
2500 Westchester Avenue, Suite 107  
Purchase, New York 10557  
(o) (212) 725-4423  
(m)(917) 400-2984  
[bsuess@pka-law.com](mailto:bsuess@pka-law.com)

*Attorney for Defendant Neeshal Modi*